

Abstract

Thesis title: Selected issues of status of a professional athlete

This paper deals with a status of a professional athlete in relation with sports organisation in which he realises sporting activities. After analysing today's praxis and the whole complex of relations of professional athlete related to his sporting activities author supports an idea that the relation of a professional athlete and the club is similar to the one of an employee and an employer of that intensity that incorporation of status of a professional athlete to the status of an employee in Czech republic is only a matter of time. That is why in latter part of the paper there are analysed some of the main enactments of the czech code of labour which would be in case of the incorporation mentioned above de facto incompatible. Before uncovering lots of problems which would be caused by adoption of status of an employee by a professional athlete in team sports the work heads to the international area, where it elaborately examines some of the most significant cases dealt with by the European Court of Justice. Above all there can again be seen undisputable tendency of taking a professional athlete similar to an employee. Furthermore the significant role of European law in affecting intrastate law and the possibility of pressure on Czech republic dealing with the status of a professional athlete is being accented. That is why the paper in its final part carries on into the sphere of de lege ferenda, where the possible direction in order to make suitable adjustments is being suggested. In this part the author states that he is aware of great personal and time demandingness of creating complex statute of sport. That is why he offers a different way in going step by step through statutes dealing only with some aspects of sports issue with a possibility of latter unification of these into one extensive code. Author is closely focused on status of professional athlete, while being inspired in many cases by new Slovakian statute of sport. At last, author points out first glimpses of pressure from foreign entities regarding the problem of status of a professional athlete in order to grant him the status of an employee. The author is also appealing to solve this issue in time and voluntarily, because he assumes that sooner or later the Czech republic will have to do it and it would not be desirable solving the problem under the pressure of time.